

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

Lordstown Motors Corp, *et al.*,<sup>1</sup>  
Debtors.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

**NOTICE OF *AMENDED* AGENDA OF MATTERS SCHEDULED FOR HEARING  
ON FEBRUARY 22, 2024 AT 10:30 A.M. (ET)**

**AS NO MATTERS ARE GOING FORWARD, THE HEARING HAS BEEN  
CANCELLED WITH PERMISSION FROM THE COURT.**

**I. RESOLVED MATTERS:**

1. Lead Plaintiff's Motion to Apply Bankruptcy Rule 7023 to Class Claims [[Docket No. 668](#) – filed November 6, 2023]

Response/Objection Deadline: November 14, 2023 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Debtors' Objection to Ohio Lead Plaintiff's Motion to Apply Bankruptcy Rule 7023 to Class Claims [[Docket No. 696](#) – filed November 14, 2023]
- B. Objection of the Official Committee of Equity Security Holders to the Lead Plaintiff's Motion to Apply Bankruptcy Rule 7023 to Class Claims [[Docket No. 699](#) – filed November 14, 2023]

Related Documents:

- i. Declaration of James Lee in Support of Debtors' Objection to Ohio Lead Plaintiff's Motion to Apply Bankruptcy Rule 7023 to Class Claims [[Docket No. 697](#) – filed November 14, 2023]
- ii. Certification of Counsel Regarding Stipulation Between Debtors, Ohio Securities Litigation Lead Plaintiff, Official Committee of Unsecured Creditors, and Official Committee of Equity Security Holders Regarding

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<sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Debtors' service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

Ohio Securities Litigation Lead Plaintiffs Motion to Apply Bankruptcy Rule 7023 to Class Claims and Proofs of Claim Numbers 1368, 1379, 1380, 1426, and 1434 [[Docket No. 947](#) – filed February 2, 2024]

- iii. Order Approving Stipulation Between Debtors, Ohio Securities Litigation Lead Plaintiff, Official Committee of Unsecured Creditors, and Official Committee of Equity Security Holders Regarding Ohio Securities Litigation Lead Plaintiffs Motion to Apply Bankruptcy Rule 7023 to Class Claims and Proofs of Claim Numbers 1368, 1379, 1380, 1426, and 1434 [[Docket No. 953](#) – entered February 5, 2023]

Status: On February 5, 2024, an order was entered resolving this matter. Accordingly, a hearing on this matter is no longer necessary.

- 2. Motion of the U.S. Securities and Exchange Commission for Order Further Extending Time to Take Action, to the Extent Necessary, to Determine the Dischargeability of a Debt to a Governmental Unit Pursuant to 11 U.S.C. § 1141(d)(6) [[Docket No. 847](#) – filed December 20, 2023]

Response/Objection Deadline: January 3, 2024 at 4:00 p.m. (ET); extended for the Official Committee of Unsecured Creditors, Equity Committee, and the Debtors until 7 days before the date of the continued hearing (which is TBD).

Responses/Objections Received: None.

Related Documents:

- i. Certification of Counsel Regarding Motion of the U.S. Securities and Exchange Commission for Order Further Extending Time to Take Action, to the Extent Necessary, to Determine the Dischargeability of a Debt to a Governmental Unit Pursuant to 11 U.S.C. § 1141(d)(6) [[Docket No. 945](#) – filed February 2, 2024]
- ii. Order Granting Motion of the U.S. Securities and Exchange Commission for Order Further Extending Time to Take Action, to the Extent Necessary, to Determine the Dischargeability of a Debt to a Governmental Unit Pursuant to 11 U.S.C. § 1141(d)(6) [[Docket No. 951](#) – entered February 5, 2024]

Status: On February 5, 2024, an order was entered resolving this matter. Accordingly, a hearing on this matter is no longer necessary.

- 3. Debtors' Second Motion for Entry of an Order Extending the Deadline by Which Debtors May File Notices to Remove Actions [[Docket No. 922](#) – filed January 19, 2024]

Response/Objection Deadline: February 2, 2024 at 4:00 p.m. (ET)

Responses/Objections Received

Related Documents:

- i. Certificate of No Objection Regarding Debtors' Second Motion for Entry of an Order Extending the Deadline by Which Debtors May File Notices to Remove Actions [[Docket No. 950](#) – filed February 5, 2024]
- ii. Order Extending the Deadline by Which Debtors May File Notices to Remove Actions [[Docket No. 954](#) – entered February 7, 2024]

Status: On February 7, 2024, an order was entered resolving this matter. Accordingly, a hearing on this matter is no longer necessary.

4. Debtors' Second Motion for an Order Extending the Deadline for the Debtors to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to 11 U.S.C. § 365(d)(4) [[Docket No. 923](#) – filed January 19, 2024]

Response/Objection Deadline: February 2, 2024 at 4:00 p.m. (ET)

Responses/Objections Received

Related Documents:

- i. Certificate of No Objection Regarding Debtors' Second Motion for an Order Extending the Deadline for the Debtors to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to 11 U.S.C. § 365(d)(4) [[Docket No. 952](#) – filed February 5, 2024]
- ii. Order Extending the Deadline Pursuant to Section 365(d)(4) of the Bankruptcy Code to Assume or Reject Unexpired Leases of Nonresidential Real Property [[Docket No. 955](#) – entered February 7, 2024]

Status: On February 7, 2024, an order was entered resolving this matter. Accordingly, a hearing on this matter is no longer necessary.

## **II. CONTINUED MATTERS:**

5. Debtors' First Omnibus (Non-Substantive) Objection to Certain (I) Duplicate Claims, (II) Insufficient Documentation Claims, (III) Incorrect Debtor Claims and (IV) Late-Filed Claims [[Docket No. 687](#) – filed November 10, 2023]

Response/Objection Deadline: November 27, 2023 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Informal comments from Meta Systems
- B. Objection of Fiberdyne Research Pty Ltd to Debtors' First Omnibus (Non-Substantive) Objection to Certain (I) Duplicate Claims, (II) Insufficient Documentation Claims, (III) Incorrect Debtor Claims and (IV) Late-Filed Claims [[Docket No. 778](#) – filed December 4, 2023]

Related Documents:

- i. Notice of Submission of Proofs of Claim in Connection with Debtors' First Omnibus (Non-Substantive) Objection to Certain (I) Duplicate Claims, (II) Insufficient Documentation Claims, (III) Incorrect Debtor Claims and (IV) Late-Filed Claims [[Docket No. 741](#) – filed November 27, 2023]
- ii. Certification of Counsel Regarding Debtors' First Omnibus (Non-Substantive) Objection to Certain (I) Duplicate Claims, (II) Insufficient Documentation Claims, (III) Incorrect Debtor Claims and (IV) Late-Filed Claims [[Docket No. 771](#) – filed December 5, 2023]
- iii. Order Sustaining Debtors' First Omnibus (Non-Substantive) Objection to Certain (I) Duplicate Claims, (II) Insufficient Documentation Claims, (III) Incorrect Debtor Claims and (IV) Late-Filed Claims [[Docket No. 772](#) – entered December 5, 2023]

Status: On December 5, 2023, the Court entered an order resolving this matter for the claimants other than Fiberdyne. A status conference regarding the Fiberdyne claim has been continued to the hearing scheduled for March 14, 2024 at 3:00 p.m. (ET).

- 6. Debtors' First Omnibus Motion for Entry of an Order (I) Authorizing the Assumption of Certain Executory Contracts, (II) Fixing the Cure Costs in Connection Thereto and (III) Granting Related Relief [[Docket No. 776](#) – filed December 5, 2023]

Response/Objection Deadline: December 12, 2023 at 4:00 p.m. (ET); extended until December 14, 2023 at 4:00 p.m. (ET) for TERIS-Phoenix LLC

Responses/Objections Received:

Related Documents:

- i. Notice of Filing of Revised Proposed Order Regarding Debtors' First Omnibus Motion for Entry of an Order (I) Authorizing the Assumption of Certain Executory Contracts, (II) Fixing the Cure Costs in Connection Thereto and (III) Granting Related Relief [[Docket No. 808](#) – filed December 11, 2023]

Status: The hearing on this matter has been continued to a date and time to be determined.

7. Debtors' Second Motion to Extend the Debtors' Exclusive Periods to File and Solicit Votes on a Chapter 11 Plan [[Docket No. 935](#) – filed January 29, 2024]

Response/Objection Deadline: February 12, 2024 at 4:00 p.m. (ET)

Responses/Objections Received

- A. Objection of Rahul Singh to Debtors' Second Motion to Extend the Debtors' Exclusive Periods to File and Solicit Votes on a Chapter 11 Plan [[Docket No. 964](#) – filed February 12, 2024]

Related Documents:

- i. Certification of Counsel Regarding Order Granting Continuance of Debtors' Second Motion to Extend the Debtors' Exclusive Periods to File and Solicit Votes on a Chapter 11 Plan [[Docket No. 968](#) – filed February 13, 2024]
- ii. Order Granting Continuance of Debtors' Second Motion to Extend the Debtors' Exclusive Periods to File and Solicit Votes on a Chapter 11 Plan [[Docket No. 969](#) – entered February 13, 2024]

Status: The hearing on this matter has been continued until March 5, 2024 at 3:00 p.m. (ET).

**III. CONTINUED MATTER/CONFIRMATION:**

8. Second Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors [[Docket No. 941](#) – filed January 31, 2024]

Response/Objection Deadline: December 8, 2023 at 4:00 p.m. (ET); extended for Former Directors and Officers until Monday, December 11, 2023 at 12:00 p.m. (ET); extended for the Office of the United States Trustee for the District of Delaware until December 29, 2023 at 4:00 p.m. (ET); extended for the ERND until December 12, 2023 at 12:00 p.m. (ET); extended for NHTSA until January 3, 2024 at 4:00 p.m. (ET); extended for the Official Committee of Unsecured Creditors, Equity Committee, Security & Exchange Commission, the Ohio Securities Action Lead Plaintiff and Certain DiamondPeak Directors Foxconn until January 12, 2024 at 4:00 p.m. (ET); extended until February 26, 2024 at 4:00 p.m. for Foxconn.

Responses/Objections Received:

- A. Objection of Rahul Singh to Debtors' Plan (Docket #766) [[Docket No. 793](#) – filed December 7, 2023]
- B. Objection of the United States Trustee to Confirmation of the Debtors' Plan [[Docket No. 878](#) – filed December 29, 2023]

Related Documents:

- i. Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors [[Docket No. 360](#) – filed September 1, 2023]
- ii. Order (I) Approving the Disclosure Statement and the Form and Manner of Notice, (II) Approving Plan Solicitation and Voting Procedures, (III) Approving Forms of Ballots, (IV) Approving Form, Manner, and Scope of Confirmation Notices, (V) Establishing Certain Deadlines in Connection with the Approval of the Disclosure Statement and Confirmation of the Plan, and (VI) Granting Related Relief [[Docket No. 651](#) – filed November 1, 2023]
- iii. Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors [[Docket No. 657](#) – filed November 1, 2023]
- iv. Notice of (I) Approval of Disclosure Statement, (II) Establishment of Voting Record Date, (III) Hearing on Confirmation of the Plan, (IV) Procedures for Objecting to the Confirmation of the Plan, and (V) Procedures and Deadline for Voting on the Plan [[Docket No. 661](#) – filed November 1, 2023]
- v. Notice of Filing of Plan Supplement for the Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors [[Docket No. 766](#) – filed December 1, 2023]
- vi. Notice of Filing of Proposed Order (I) Confirming Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors and (II) Granting Related Relief [[Docket No. 767](#) – December 1, 2023]
- vii. Notice of Rescheduled Confirmation Hearing Date and Time [[Docket No. 831](#) – filed December 15, 2023]
- viii. Notice of Reschedule Confirmation Hearing Date and Time [[Docket No. 924](#) – filed January 19, 2024]
- ix. Notice of Filing of Blackline of Second Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors [[Docket No. 942](#) – filed January 31, 2024]

- x. Notice of Rescheduled Confirmation Hearing Date and Time [[Docket No. 960](#) – filed February 9, 2024]

Status: The hearing on this matter has been continued until March 5, 2024 at 3:00 p.m. (ET).

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Dated: February 20, 2024  
Wilmington, Delaware

<p><u>/s/ Morgan L. Patterson</u>  <b>WOMBLE BOND DICKINSON (US) LLP</b>  Donald J. Detweiler (DE Bar No. 3087)  Morgan L. Patterson (DE Bar No. 5388)  1313 North Market Street, Suite 1200  Wilmington, Delaware 19801  Telephone: (302) 252-4320  Facsimile: (302) 252-4330  don.detweiler@wbd-us.com  morgan.patterson@wbd-us.com</p> <p><i>Counsel to the Debtors and Debtors in Possession</i></p>	<p><b>WHITE &amp; CASE LLP</b>  Thomas E Lauria (admitted <i>pro hac vice</i>)  Matthew C. Brown (admitted <i>pro hac vice</i>)  Fan B. He (admitted <i>pro hac vice</i>)  200 South Biscayne Boulevard, Suite 4900  Miami, FL 33131  Telephone: (305) 371-2700  tlauria@whitecase.com  mbrown@whitecase.com  fhe@whitecase.com</p> <p>David M. Turetsky (admitted <i>pro hac vice</i>)  1221 Avenue of the Americas  New York, NY 10020  Telephone: (212) 819-8200  david.turetsky@whitecase.com</p> <p>Jason N. Zakia (admitted <i>pro hac vice</i>)  111 South Wacker Drive, Suite 5100  Chicago, IL 60606  Telephone: (312) 881-5400  jzakia@whitecase.com</p> <p>Roberto Kampfner (admitted <i>pro hac vice</i>)  Doah Kim (admitted <i>pro hac vice</i>)  RJ Szuba (admitted <i>pro hac vice</i>)  555 South Flower Street, Suite 2700  Los Angeles, CA 90071  Telephone: (213) 620-7700  rkampfner@whitecase.com  doah.kim@whitecase.com  rj.szuba@whitecase.com</p> <p><i>Counsel to Debtors and Debtors in Possession</i></p>
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